

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:99CV268**

**STEVE E. ASHE, and wife DEBORAH )  
ANN SCOTT ASHE; FRANK H. )  
BARTON; HOMER R. BLYTHE, and )  
wife ANN ENGLISH BLYTHE; )  
BEN BOLT, and wife FLORA MAE )  
McCALL BOLT; SHIRLEY EUGENE )  
BRACKEN, and wife ANNIE JO )  
SHERRIL BRACKEN; FRED C. )  
BRYSON, and wife MARY B. )  
BRYSON; ALLEN E. CHAPMAN, and )  
wife SANDRA FISHER CHAPMAN; )  
JOHN C. CHAPMAN, and wife IVA )  
LEE ANDERS CHAPMAN; DAVID H. )  
CORN, and wife PHYLLIS BOWEN )  
CORN; ROBERT H. CROWE, and wife )  
MARIAN CROWE; RHONDA )  
DEBRUHL, Administrator of the )  
Estate of Fred Davis, Deceased; )  
DANNY L. DUCKWORTH; JOHN D. )  
EZELL, and wife AILEEN RODGERS )  
EZELL; EDNA MAE FEWELL; )  
SALLY R. FLETCHER, )  
Individually and as Executrix of the )  
Estate of Carroll D. Fletcher, )  
Deceased; WILLIAM M. GADDY, SR., )  
and wife MYRTLE N. GADDY; )  
CLYDE C. GALLOWAY, and wife )  
BELLE T. GALLOWAY; JAMES C. )  
GOFORTH, and wife THELMA W. )  
GOFORTH; CLAUDE S. GOODSON, )  
and wife DARLENE GOODSON; )  
ROBERT P. GRANT, and wife DORIS )  
PATTERSON GRANT; LARRY W. )  
GREGORY; WILLIAM H. HALL, JR., )  
and wife WANDA D. HALL; WILLIE )  
E. HARRON; THOMAS B. HEATON, )  
and wife ELLA MAE P. HEATON; )  
RICHARD L. HISSA, and wife )  
PRISCILLA B. HISSA; MARILYN )  
JARRETT, Individually and as )**

**ORDER OF DISMISSAL  
WITHOUT PREJUDICE  
OF DEFENDANT GEORGIA-PACIFIC**

Executrix of the Estate of Douglas L. )  
Jarrett, Deceased; MAGGIE C. )  
KRIDER, Individually and as Personal )  
Representative of the Estate of )  
Thomas Krider, Deceased; JAMES T. )  
MAHONEY, JR., and wife BRENDA )  
FAYE J. MAHONEY; ERNEST R. )  
MANEY, and wife BARBARA GREEN )  
MANEY; ARTHUR A. McCALL, and )  
wife EDITH ENGLISH McCALL; )  
BENJAMIN F. McCALL, and wife )  
DONNIE VEE McCALL; FRANKLIN L. )  
McCALL, and wife BETTY LAMBERT )  
McCALL; JAMES D. McCALL; )  
RUFUS S. McCALL, and wife )  
MARGARET PAULINE R. McCALL; )  
SHERRELL P. McCRARY, and wife )  
VELMA EARLENE McCRARY; )  
WILLIAM P. McKELVEY; BETTY N. )  
MICHAEL, Individually and as )  
Executrix of the Estate of John A. )  
Michael, Deceased; JIMMY G. )  
MILLER, and wife LINDA GALLOWAY )  
MILLER; BENNY L. MOONEY, and )  
wife MILDRED RUTH H. MOONEY; )  
WILLIAM L. MOONEY, SR., and wife )  
BILLIE FARMER MOONEY; )  
PATRICIA M. CROUCH, as Executrix )  
of the Estate of Tarlie E. Moore, )  
Deceased, and BEULAH C. MOORE; )  
PEGGY LOFLIN, as Administrator of )  
the Estate of James H. Morris, )  
Deceased; GEORGE H. NEWMAN, )  
and wife VIRGINIA H. NEWMAN; )  
CARROLL F. OWEN, and wife )  
CYNTHIA SPIVEY OWEN; MARY M. )  
OWEN; PHILLIP E. OWENS, and wife )  
DOROTHY LORENA W. OWENS; )  
ROSCOE H. PONDER, and wife )  
GRACE JULIE R. PONDER; JOE B. )  
ROGERS, and wife JUNE ROGERS; )  
REMUS L. ROPER, and wife SHIRLEY )  
ROPER; PAUL D. SEAGLE, and wife )  
LINDA M. SEAGLE; DOUGLAS G. )  
SENTELLE, and wife CINDY )  
SENTELLE; CHARLES N. SHOOK, as )

Executor of the Estate of Vance F.	)
Shook, Deceased; BRONITH SHOOK,	)
as Administrator of the Estate of	)
Vance Randall Shook; ETHEL IRENE	)
J. SITTON, Individually and as	)
Executrix of the Estate of Ed J.	)
Sitton, Deceased; NETTIE L. SITTON;	)
BRUCE D. SMITH, and wife DELORES	)
H. SMITH; ROBERT A. SMITH, and	)
wife MARGORIE L. SMITH;	)
BRADLEY H. SNIPES, and wife	)
ELEANOR E. SNIPES; FRANK A.	)
STEVENS, and wife RUBY IRENE	)
STEVENS; RUTH G. SUMMEY,	)
Individually and as Executor of the	)
Estate of Clyde C. Summey,	)
Deceased; JUANITA W. WATSON;	)
CHARLES E. WHITEMIRE, and wife	)
BOBBIE JEAN WHITEMIRE;	)
ALBERT W. WILLIAMS, and wife	)
CAROLYN WILLIAMS; and THOMAS	)
J. WOODS, and wife ALICIA JEAN	)
WOODS,	)
	)
Plaintiffs,	)
	)
vs.	)
	)
ACandS, INC., <i>et al.</i> ,	)
	)
Defendants.	)

**THIS MATTER** is before the Court on the joint motion of Defendant Georgia-Pacific and all Plaintiffs in this case for dismissal without prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, of Plaintiffs' claims against Defendant Georgia-Pacific.

For good cause shown, including the consent of such parties, the Court finds that such motion should be allowed.

**IT IS, THEREFORE, ORDERED** that the joint motion to dismiss is **ALLOWED**, and the claims of all Plaintiffs against Defendant Georgia-Pacific are hereby **DISMISSED WITHOUT**

**PREJUDICE**, and Defendant Georgia-Pacific may be terminated from this action.

Signed: October 30, 2007



Lacy H. Thornburg  
United States District Judge



**CONSENTED TO:**

s/ Kenneth Kyre, Jr.  
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